

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

KIMBERLY KENNEDY (aka Gorton),
individually and in her capacity as Personal
Representative of the Estate of JAY D. (J.D.)
KENNEDY, and as guardian for her children,
KEITH TEUFEL and TERA TEUFEL,

Plaintiffs,

v.

CLARK COUNTY, a municipal corporation
and political subdivision of the State of
Washington; THE CITY OF RIDGEFIELD, a
municipal corporation; NOEL SHIELDS,
CATHY DORIOT, CINDY GULL and JOHN
DOES 1-10; MICHAEL THOMAS BURNS
(aka HUMPHREY); ANGELA BURNS and
MATTHEW JAMES BURNS, husband and
wife,

Defendants.

NO. C01-5631 JKA

**ORDER APPROVING
SUPPLEMENTAL MINOR
SETTLEMENTS WITH THE CITY OF
RIDGEFIELD**

THIS MATTER having come on regularly before the undersigned judge of the above-
entitled Court upon Petitioners' petition for approval of the minors' second settlements,
pursuant to SPR 98.16W, the Court having reviewed and considered the petitioners' petition,
the report of Daniel M. Albertson, the settlement Guardian *Ad Litem* for the minor children,

ORDER - 1 of 4
(C01-5631 JKA)

LAW OFFICES OF
JOHN R. CONNELLY, JR.
2301 North 30th
TACOMA, WASHINGTON 98403
(253) 593-5100 - FACSIMILE (253) 593-0380

and the records and files herein, and the Court finding that the request for approval should be granted.

NOW, THEREFORE, IT IS HEREBY ORDERED:

1. That the settlements on behalf of Tera N. Teufel and Keith T. Teufel with the City of Ridgefield are hereby approved. The allocation of the settlement as between plaintiffs is approved.

2. The Court further approves payment of minor settlements as follows:

A. Tera N. Teufel

1. Upfront payment \$80,000.

2. Periodic payments as follows:

A. Beginning at age 18 (01/19/2007), \$465 payable

monthly for 17 years certain only.

\$94,860

\$94,860

Last guaranteed payment is due 12/19/2023.

B. At age 35 (01/19.2024),

a lump sum payment of \$100,000.

\$100,000

\$100,000

Total \$194,860

\$194,860

The present value cost of the future periodic payments is \$100,000 and the rate of return 5.56%.

B. Keith T. Teufel

1. Upfront payment \$80,000.

2. Periodic payments as follows:

	Guaranteed Benefits	Expected Benefits
A. Beginning at age 18 (01/18/2009) , \$546 payable		
monthly for 17 years certain only.	\$114,648	\$114,648
Last guaranteed payment is due 12/18/2025.		
B. At age 35 (01/18/2026),		
a lump sum payment of \$100,000.	<u>\$100,000</u>	<u>\$100,000</u>
Total	\$214,648	\$214,648

3. That Defendants may make a “qualified assignment” of their obligation to make the aforesaid future periodic payments to Prudential Assigned Settlement Services Corporation (Assignee). Plaintiffs consent to this assignment and accept such obligation as a direct obligation of Prudential Assigned Settlement Services Corporation and in substitution of the obligation by Defendants. It is understood and agreed that Prudential Assigned Settlement Services Corporation will fund the obligation to make future periodic payments by purchasing an annuity from The Prudential Insurance Company of America, rated A+ (Superior) by A.M. Best. The Prudential Insurance Company of America will issue a Statement of Guarantee, guaranteeing Prudential Assigned Settlement Services Corporation with respect to the obligation assumed.

4. That The Law Offices of John R. Connelly, Jr. shall be authorized to disburse the up-front settlement funds as follows:

(a)	To Daniel M. Albertson for Guardian Ad Litem fees in this case	\$660.00
(b)	To Kimberly Gorton-Kennedy For litigation costs incurred in handling the case of Tera N. Teufel	\$1,579.50

(c)	To Kimberly Gorton-Kennedy for litigation costs incurred in handling the case of Keith T. Teufel	\$1,579.50
(d)	To The Law Offices of John R. Connelly, Jr. for attorneys fees incurred in handling the case on behalf of Tera N. Teufel	\$61,920
(e)	To The Law Office of John R. Connelly, Jr, for attorneys fees incurred in handling the case on behalf of Keith T. Teufel	\$61,920
(h)	To the Paulson Firm for attorney fees, incurred in handling the case on behalf of Tera N. Teufel	\$15,400
(i)	To the Paulson Firm for attorney fees, incurred in handling the case on behalf of Keith T. Teufel.	\$15,400

5. That Kimberly Kennedy as Guardian, and pursuant to Washington law, shall be authorized to sign all appropriate documentation to put the settlements into place as described herein.

6. That the fees of Daniel M. Albertson are approved as reasonable and that he is discharged as his work in the case is completed.

7. That, payment shall be made directly to the trust account at the Law Offices of John R. Connelly, Jr. for disbursement in accordance with the terms of this Order.

Date this 23rd day of August, 2006.

/s/ J. Kelley Arnold
THE HONORABLE J. KELLEY ARNOLD